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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/559,604

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Rolf Bucker

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CHRISTIE, PARKER & HALE, LLP  
PO BOX 7068  
PASADENA, CA 91109-7068

EXAMINER

STRIMBU, GREGORY J

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/559,604	<b>Applicant(s)</b> BUCKER ET AL.	
	<b>Examiner</b> Gregory J. Strimbu	<b>Art Unit</b> 3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/18/06 + 12/2/05</u> .                                       | 6) <input type="checkbox"/> Other: _____                          |

### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: GS and GH. Note that figure 1A has reference characters 6S and 6H rather than GS and GH. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the guide that is arranged to introducing a window pane (claim 25) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure

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is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claim 27 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 27 fails to further limit claim 1 because the functional element is not being positively recited. Therefore, the specific type of functional element is irrelevant to the definition of the subcombination of the multifunctional support.

### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

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The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because "[t]he invention relates to" on line 1 and "[a]ccording to the invention" on line 10 can be easily implied and, therefore, should be deleted. The legal phraseology "[s]aid" on line 4 should be deleted. On line 13, "the other terminal zone" is confusing since it is not readily apparent what section of the subsection the applicant is referring to. Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because "Since these handle shells GS . . . brackets 42" on lines 27-32 is grammatically awkward and confusing. On line 4 of page 9, it appears that "lock.," should be changed to --lock.--

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

Claims 1-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Recitations such as “connected to the retaining section for a window pane” on line 4 of claim 1 render the claims indefinite because they are grammatically awkward and confusing. Recitations such as “the multifunctional support” on line 8 of claim 1 render the claims indefinite because it is unclear what the applicant is attempting to set forth. It appears that the retaining section is attached to the window guide rather than to the support in general. Recitations such as “the functional element of the motor vehicle door” on lines 2-3 of claim 2 render the claims indefinite because they lack antecedent basis. Note that the functional element has not been defined as being for the door. Recitations such as “the multifunctional support” on line 2 of claim 3 render the claims indefinite because it appears that the recess is in the retaining section rather than the support in general. Recitations such as “the extension direction of the subsection” on line 2 of claim 3 render the claims indefinite because they lack antecedent basis. Recitations such as “the retaining section . . . support” on lines 1-2 of claim 8 render the claims indefinite because it is unclear what the applicant is attempting to set forth. Note that the retaining section and the window guide comprise the multifunctional support. Recitations such as “as a whole” on line 2 of claim 8 are grammatically awkward and confusing. Recitations such as “in relation to the . . . a motor vehicle door” on lines 2-3 of claim 11 render the claims indefinite because it is unclear what the applicant is attempting to set forth. Recitations such as “a motor vehicle door” on line 3 of claim 11 render the claims indefinite because it is unclear if the applicant is referring to the motor vehicle door set forth above or is attempting to set forth another door in addition to the one set forth above. Recitations such as “one fastening point” on lines 1-2 of claim 14

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render the claims indefinite because it is unclear if the one fastening point is in addition to the fastening points set forth in claim 1 or are in addition to said fastening points.

Recitations such as "the one fastening point" on line 2 of claim 17 and "the extension direction of the subsection" on lines 2-3 of claim 18 render the claims indefinite because they lack antecedent basis. Recitations such as "a door lock" on line 2 of claim 19 render the claims indefinite because it is unclear if the applicant is referring to the functional element set forth above or is attempting to set forth another element in addition to the functional element set forth above. Recitations such as "a flat surface contact against the door lock" on line 3 of claim 20 render the claims indefinite because it is unclear what the applicant is attempting to set forth. Recitations such as "a door outside handle holder" on line 2 of claim 22 are grammatically awkward and confusing. Recitations such as "one free end . . . by the guide" on line 2 of claim 26 render the claims indefinite because it is unclear what the applicant is attempting to set forth.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14, 16-21, 25 and 26, as best understood by the examiner, are rejected under 35 U.S.C. 102(b) as being anticipated by Staser et al. (US 5469664). Staser et al. discloses a multifunctional support 12 for a motor vehicle comprising: a retaining

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section 14, 16 to fasten the multifunctional support on an assembly support of a motor vehicle door;

an elongated window guide 30 connected to the retaining section for a window pane; and

fastening points (not specifically shown, but see column 2, lines 41-42) for fastening a functional element on the multifunctional support

wherein the retaining section is connected to the window guide along a longitudinally extended subsection of the multifunctional support, the longitudinally extended subsection having two terminal zones (not specifically numbered, but comprising the attachment points at the upper and lower regions of the window guide 30);

wherein the retaining section in one terminal zone, i.e., the top, of the longitudinally extended subsection is connected substantially rigidly to the window guide and the retaining section in the other terminal zone, i.e., the bottom, of the longitudinally extended subsection is connected flexibly to the window guide; a recess is provided (not numbered, but shown in figure 1) between the two terminal zones; a deformable region 48; the window guide is movable perpendicular to the retaining section since the window guide moves perpendicular to the plane of the retaining section as shown in figure 2; two fastening points 44, 46; a detent element 42; a door lock fastening point (not numbered, but shown in figure 1 underneath the lead line for reference character 37; a guide (not specifically numbered, but shown at the end of the lead line for reference character 31 in figure 1) for introducing a window pane;



With respect to claim 7, the limitations regarding how the multifunctional support is manufactured have been treated as product by process limitations and, as such, are anticipated by the product as set forth above.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Staser et al. as applied to claims 1-14, 16-21, 25 and 26 above, and further in view of German Patent Publication 299 16 066. German Patent Publication 299 16 066 discloses a bearing section 2 for an outside door handle wherein the fastening points 22, 23 for the bearing section are flexibly linked to the bearing section 3.

It would have been obvious to one of ordinary skill in the art to provide Staser et al. with a bearing section for an outside door handle, as taught by German Patent Publication 299 16 066, to more easily mount an outside door handle to the vehicle door.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Staser et al. as applied to claims 1-14, 16-21, 25 and 26 above, and further in view of Morrison

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et al. (US 6823628). Morrison et al. discloses a multifunctional support 26 comprising at least one holder 35 for an electric cable 38.

It would have been obvious to one of ordinary skill in the art to provide Staser et al. with a holder, as taught by Morrison et al., so that electrical cables can be easily secured to the support.

Claims 15 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Staser et al. as applied to claims 1-14, 16-21, 25 and 26 above, and further in view of Staser et al. (US 5535553). Staser et al. '553 discloses a door lock 70 as a functional element wherein the lock includes stops 72, 73.

It would have been obvious to one of ordinary skill in the art to provide Staser et al. '664 with a door lock, as taught by Staser et al. '553, so that the vehicle door can be locked in a closed position.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Mitchell can be reached on 571-272-7069. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gregory J. Strimbu/  
Primary Examiner, Art Unit 3634